

	<b>JUSTICE CABINET DEPARTMENT OF JUVENILE JUSTICE POLICY AND PROCEDURES</b>	<b>REFERENCES: 505 KAR 1:140 3-JDF-1A-09, 5A-07, 09</b>
<b>CHAPTER: Detention Services</b>		<b>AUTHORITY: KRS 15A.065</b>
<b>SUBJECT: Alternatives to Secure Detention</b>		
<b>POLICY NUMBER: DJJ 704</b>		
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<b>APPROVAL: Bridget Skaggs Brown</b>		<b>, COMMISSIONER</b>

## **I. POLICY**

Alternatives to Secure Detention Programs shall be established for the purpose of providing a comprehensive continuum of community based programs, services and facilities for youth who require varying levels of custody and supervision on a temporary basis pending further legal action. Youth shall be placed in the least restrictive and most appropriate setting available to foster the safety of the youth, the safety of the general public and to ensure that the youth will appear as ordered in court.

## **II. APPLICABILITY**

This policy shall apply to all Detention Alternative Coordinators.

## **III. DEFINITIONS**

- A. "Alternative to Secure Detention means any resource which provides a less restrictive environment than Secure Detention, e.g., emergency shelter care, court resource home, day reporting center or home detention.
- B. "Court Resource Home" means 24 hour custodial care in a home setting.
- C. "Electronic Monitoring" means a supervision tool that provides electronic information about the youth's presence at, or absence from, his or her residence or other location.
- D. "Home Detention" means maintenance of youth in his or her own home with Department of Juvenile Justice or contracted community-based oversight, with or without electronic monitoring.
- E. "Legal Custodian" means a person who, by order of the court, is vested with the right to have physical custody of a youth, and who is responsible for the care of such youth.
- F. "Relative" means a parent, grandparent, great-grandparent, sibling, first

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cousin, aunt, uncle, great-aunt, great-uncle, niece or nephew, whether related by the whole or half-blood, by affinity or adoption.

- G. "Secure Detention" means the temporary custody of the youth in an approved physically secure Regional Juvenile Detention Center.
- H. "Staff-Secure Shelter" means 24-hour custodial care for youth in a staff secure setting.

#### **IV. PROCEDURES**

- A. The Detention Alternatives Coordinator (DAC) shall be responsible for the supervision and coordination of the Alternative Programs to Secure Detention operated by DJJ.
- B. All youth shall be provided, in writing, information that specifies the rights, responsibilities, behavior expectations, rules, and consequences for rule violations within the Alternative Detention Program. The information shall clearly explain the grievance procedure for youth to follow in the alternative program. Each youth shall sign a form verifying that they have received a copy of the information and understand its contents.
- C. The following continuum, listed from least to most restrictive, shall be developed in each catchment area to the extent feasible:
  - 1. Home Detention
  - 2. Court Resource Homes
  - 3. Staff-Secure Shelters
- D. Electronic Monitoring
  - 1. The Detention Alternative Coordinator shall be trained in, and have responsibility for procurement, accountability and maintenance related to, the use of electronic monitoring equipment.
  - 2. In the event of lost or stolen equipment the DAC shall up line an incident report.
- E. Parent/Legal Custodian Rights Responsibilities
  - 1. The youth and the parent, legal custodian, or adult relative responsible for the youth shall sign a statement agreeing to the terms and conditions of such program before the youth shall be permitted home detention.
  - 2. The youth and parent shall be informed that the removal, purposeful damage, destruction or "loss" of electronic monitoring equipment by the youth may result in charges of Criminal Mischief II and/or Theft By Unlawful Taking and that restitution might be ordered.
  - 3. The parent or legal custodian of a youth placed in a court resource home or staff-secure shelter shall be permitted visitation with the youth at either the residence or an established alternate site unless the court prohibits such contact, the youth refuses such visitation, or it is determined by the

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Detention Alternative Coordinator that such visitation is not in the best interest of the youth.

## **V. MONITORING MECHANISM**

Monitoring of this policy shall be provided by the Division of Placement Services and the Division of Program Services.